

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

THE UNITED STATES OF AMERICA

vs.

CASE NO: 99-CR 299-01 (PG)

JOSE ESPINOSA-BABILONIA

*** * * * ***

MOTION FOR SOME DISPOSITION

**TO THE HONORABLE JUAN M. PEREZ-GIMENEZ
UNITED STATES DISTRICT JUDGE
DISTRICT OF PUERTO RICO**

COMES NOW, JOSE A. FIGUEROA, UNITED STATES PROBATION OFFICER of this Honorable Court, presenting an official report upon the conduct and attitude of releasee, José A. Espinosa-Babilonia, who on May 22, 2000, was sentenced to sixty (60) months and a four (4) year supervised release term after pleading guilty to violation of Title 21, United States Code, Section 846. He was ordered to comply with the standard conditions adopted by this Court and the following special conditions: (a) pay a special monetary assessment in the amount of \$100, (b) provide access to financial information, (c) refrain from unlawful use of controlled substances and submit to urine test. On January 15, 2004, the offender's supervised release term commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AS FOLLOWS:

The offender has violated the following supervision conditions:

“ The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.”

“ The defendant shall support his or her dependents and meet other family responsibilities”

As verified with Mrs. Cotto, Puerto Rico Corrections Department, Admissions Section, the above-mentioned offender was admitted to state prison on December 26, 2007 and released on December 28, 2007, for failure to comply with his child support obligations. On December 28, 2008, the offender's partner Alba Olmeda-Martínez, paid the amount of \$2,255.75 of child support in arrears and the offender was subsequently released from state prison. Subsequently, this officer instructed the offender to report to the office and confronted him with the information obtained.

This is the first violation of this offender during a period of four (4) years. Since he has actively responded to what was requested of him by the state judge, it is requested that his supervision term be allowed to expire as originally imposed, that is January 14, 2008.

WHEREFORE, I declare under penalty of perjury that the foregoing is true and correct, unless the Court rule otherwise, it is respectfully requested to the Court that the above-mentioned offender's supervised release be allowed to expire as originally imposed. May the offender be admonished for his behavior.

In San Juan, Puerto Rico, this 9th day of January 2008.

Respectfully submitted,

EUSTAQUIO BABILONIA, CHIEF
UNITED STATES PROBATION OFFICER

s/José A. Figueroa
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on January 9, 2008, I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Rosa E. Rodríguez-Vélez, U.S. Attorney, and Frank D. Inserni, esq.

At San Juan, Puerto Rico, January 9, 2008.

s/José A. Figueroa
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